

ORDINANCE 15-15 _____

SPRING MILL STATION SWC PUD

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

This is a Planned Unit Development District Ordinance (to be known as Spring Mill Station SWC) to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Zoning Ordinance”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 *et seq.*, as amended.

WHEREAS, the City of Westfield, Indiana (the “City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Petition No. 1506-PUD-11), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition No. 1506-PUD-11 to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a favorable recommendation (X-X) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on XXXX XX, 2015; and,

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 This PUD District Ordinance (this “Ordinance”) applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”) and shall hereafter be referred to as the “**SPRING MILL STATION SWC PUD**”.
- 1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.
- 1.3 The underlying zoning district for **Lot 1** shall be the **MF2 – Multi-Family Medium Density District**. The underlying zoning district for **Lot 2** shall be **LB – Local and Neighborhood Business District**. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

- 1.4 Chapter (“Chapter”) and Article (“Article”) cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Site Concept Design Plan: The plan attached hereto and incorporated herein by reference as **Exhibit B.** Exhibit B is a general plan for the development of the Real Estate.
- 2.2 Lot 1: Lot 1 is graphically depicted in **Exhibit B.**
- 2.3 Lot 2: Lot 2 is graphically depicted in **Exhibit B.**
- 2.4 Illustrative Character Exhibit: A general representation of the intended architecture and character for the proposed development of the Real Estate attached hereto as **Exhibit C.**
- 2.5 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

Section 3. **Permitted Uses.**

- 3.1 Lot 1– All uses permitted in the Underlying Zoning District for MF2 shall be permitted in Lot 1, except for the following:
- A. Utilities – Regulated by IURC
- 3.2 Lot 2 – All uses permitted in the Underlying Zoning District for LB shall be permitted in Lot 2. In addition, the following are also permitted:
- A. Multi-family dwellings pursuant to the standards set forth herein are also permitted.

Section 4. **General Regulations.** The regulations of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply except as otherwise modified below.

- 4.1 Article 4.11 MF2: Multi-Family Medium Density District
- A. Maximum Density: Twenty (20) Dwelling Units per acre.
- B. Maximum Dwelling Units per structure: Thirty (30)
- C. Maximum Number of Dwelling Units: Four Hundred (400) per project or district (e.g. Development Plan).
- D. Minimum Building Setback Lines: Front Yard: 0’
- E. Maximum Building Height: 60 feet

Section 5. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified or enhanced by this Ordinance.

5.1 Article 6.3 Architectural Standards shall apply. In addition, the following shall also apply.

- A. Site Concept Design Plan: Site shall be developed in substantial compliance with **Exhibit B.**
- B. Character and Quality of Multifamily: Multifamily buildings shall be built in substantial compliance with the elevations provided in **Exhibit C.**
- C. Character and Quality of Other Uses: Uses other than multifamily, which may be proposed on Lot 2, shall be built in substantial compliance with the elevations provided in **Exhibit C,** or in substantial compliance with the character and quality consistent with the Spring Mill Station Comprehensive Plan Addendum, as determined by the Director.

5.2 Article 6.14 Parking and Loading Standards shall apply, except as otherwise modified below.

- A. Required Spaces for Multi-family Dwellings: 1.5 spaces per Dwelling Unit

Section 6. **Design Standards.** The regulations of Chapter 8: Design Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified below.

6.1 Article 8.6 Open Space and Amenity Standards shall apply, except as otherwise modified below.

- A. Minimum Open Space: Minimum Open Space required to be 15%.
- B. Development Amenities: The following amenities shall be required as generally illustrated on the Site Concept Design Plan:
 - (i) Clubhouse
 - (ii) Fitness Center in Clubhouse
 - (iii) Resort style pool at Clubhouse
 - (iv) Business Center in Clubhouse
 - (v) Grilling Cabana at Clubhouse
 - (vi) Dog Park at Clubhouse
 - (vii) Fitness Trail around perimeter of site
 - (viii) Outdoor Classroom area (at pond through an agreement with Westfield Washington Schools)
 - (ix) Trail around pond for school activities (through an agreement with Westfield Washington Schools)

**ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS ____ DAY OF
_____, 2015.**

**WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Chuck Lehman

Chuck Lehman

Chuck Lehman

Bob Smith

Bob Smith

Bob Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: David C. George.

This Instrument prepared by: David C. George
Westfield Residential Investors, LLC.
111 Monument Circle, Suite 900
Indianapolis, IN 46204

I hereby certify **ORDINANCE 15-15** was delivered to the Mayor of Westfield on the ____ day of _____, 2015.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 15-15
this ____ day of _____, 2015.

I hereby VETO ORDINANCE 15-15
this ____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer